

SUBSTITUTE RESOLUTION BY

3
04-R-0300 (3)

FINANCE/EXECUTIVE COMMITTEE

A RESOLUTION AUTHORIZING THE MAYOR OR DESIGNEE TO ENTER INTO A CONTRACTUAL AGREEMENT, ON BEHALF OF THE DEPARTMENT OF INFORMATION TECHNOLOGY WITH BILTMORE COMMUNICATIONS, INC FOR FC-7577-03, CITY OF ATLANTA COMMUNITY TECHNOLOGY WI-FI INITIATIVE. ALL MONIES GENERATED SHALL BE PLACED IN A TRUST FUND ESTABLISHED FOR INFORMATION TECHNOLOGY AND SHARED BETWEEN THE TRUST FUND AND GENERAL FUND.

WHEREAS, The Chief Procurement Officer of the Department of Procurement ("DOP") did advertise on behalf of the Department of Information Technology; and

WHEREAS, the Commissioner of the Department of Information Technology and Chief Procurement Officer have recommended that the contractual agreement for FC-7577-03, City of Atlanta Community Technology Wi-Fi Initiative be awarded to Biltmore Communications, Inc. for a period of three (3) base years, with two (2), one (1) year renewal options subject to a 60 day notice of intent not to renew; and

WHEREAS, the Commissioner of the Department of Information Technology and the Chief Procurement Officer of the Department of Procurement have recommended that the contractual agreement with Biltmore Communications, Inc. be executed.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, that the Mayor or designee be and is hereby directed to prepare an appropriate contractual agreement with Biltmore Communications, Inc. to create a citywide network of wireless zones standardized to the 802.11 technology.

BE IT FUTHER RESOLVED, that the contractual agreement for FC-7577-03, City of Atlanta Community Technology Wi-Fi Initiative be awarded to Biltmore Communications, Inc. for a period of three (3) base years, with two (2), one (1) year renewal options subject to a 60 day notice of intent not to renew; and

BE IT FUTHER RESOLVED, that this contractual agreement shall not become binding on the City, and the City shall incur no liability upon same until contract has been executed by the Mayor and delivered to the contracting party.

BE IT FURTHER RESOLVED, that all monies generated annually under this contractual agreement shall be shared as follows: annually the first \$100,000.00 shall go into a trust fund established for Information Technology Investment. Revenue between \$100,000.00 and 1,000,000.00, 25% will go into the Trust Fund and the remainder into the General Fund. Revenue above \$1,000,000.00, 10% will go into the Trust Fund for Information Technology Investments and the remainder into the General Fund.

**RESOLUTION BY
FINANCE/EXECUTIVE COMMITTEE
AS SUBSTITUTED BY
FULL COUNCIL**

04-R-0300
#2

A RESOLUTION AUTHORIZING THE MAYOR OR DESIGNEE TO ENTER INTO A CONTRACTUAL AGREEMENT, ON BEHALF OF THE DEPARTMENT OF INFORMATION TECHNOLOGY WITH BILTMORE COMMUNICATIONS, INC FOR FC-7577-03, CITY OF ATLANTA COMMUNITY TECHNOLOGY WI-FI INITIATIVE. ALL MONIES GENERATED SHALL BE PLACED IN A TRUST FUND ESTABLISHED FOR INFORMATION TECHNOLOGY AND SHARED BETWEEN THE TRUST FUND AND GENERAL FUND.

WHEREAS, The Chief Procurement Officer of the Department of Procurement ("DOP") did advertise on behalf of the Department of Information Technology; and

WHEREAS, the Commissioner of the Department of Information Technology and Chief Procurement Officer have recommended that the contractual agreement for FC-7577-03, City of Atlanta Community Technology Wi-Fi Initiative be awarded to Biltmore Communications, Inc. for a period of five (5) years, with one (1), five (5) year renewal option; and

WHEREAS, the Commissioner of the Department of Information Technology and the Chief Procurement Officer of the Department of Procurement have recommended that the contractual agreement with Biltmore Communications, Inc. be executed.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, that the Mayor or designee be and is hereby directed to prepare an appropriate contractual agreement with Biltmore Communications, Inc. to create a citywide network of wireless zones standardized to the 802.11 technology.

BE IT FUTHER RESOLVED, that this contractual agreement shall not become binding on the City, and the City shall incur no liability upon same until contract has been executed by the Mayor and delivered to the contracting party.

BE IT FURTHER RESOLVED, that the term of this agreement shall be five (5) years with one optional five (5) year renewal period.

BE IT FURTHER RESOLVED, that the Chief Financial Officer be and is hereby authorized to established a Trust Fund which shall receive a portion of the revenues generated by this agreement, to be used for investments in information technology. On an annual basis monies generated under this contractual agreement shall be shared as follows: the first \$100,000.00 of revenue shall go into the Information Technology Investment Trust Fund; for revenues between \$100,000.01 and 1,000,000.00, 25% will go into the Trust Fund and the remainder into the General Fund; and for revenues above \$1,000,000.01, 10% will go into the Trust Fund and the remainder into the General Fund.

**CITY COUNCIL
ATLANTA, GEORGIA**

SUBSTITUTE RESOLUTION BY

04-R-0300

FINANCE/EXECUTIVE COMMITTEE

A RESOLUTION AUTHORIZING THE MAYOR OR DESIGNEE TO ENTER INTO A CONTRACTUAL AGREEMENT, ON BEHALF OF THE DEPARTMENT OF INFORMATION TECHNOLOGY WITH BILTMORE COMMUNICATIONS, INC FOR FC-7577-03, CITY OF ATLANTA COMMUNITY TECHNOLOGY WI-FI INITIATIVE. ALL MONIES GENERATED SHALL BE PLACED IN A TRUST FUND ESTABLISHED FOR INFORMATION TECHNOLOGY AND SHARED BETWEEN THE TRUST FUND AND GENERAL FUND.

WHEREAS, The Chief Procurement Officer of the Department of Procurement ("DOP") did advertise on behalf of the Department of Information Technology; and

WHEREAS, the Commissioner of the Department of Information Technology and Chief Procurement Officer have recommended that the contractual agreement for FC-7577-03, City of Atlanta Community Technology Wi-Fi Initiative be awarded to Biltmore Communications, Inc. for a period of five (5) years, with one (1), five (5) year renewal option; and

WHEREAS, the Commissioner of the Department of Information Technology and the Chief Procurement Officer of the Department of Procurement have recommended that the contractual agreement with Biltmore Communications, Inc. be executed.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, that the Mayor or designee be and is hereby directed to prepare an appropriate contractual agreement with Biltmore Communications, Inc. to create a citywide network of wireless zones standardized to the 802.11 technology.

BE IT FURTHER RESOLVED, that this contractual agreement shall not become binding on the City; and the City shall incur no liability upon same until contract has been executed by the Mayor and delivered to the contracting party.

BE IT FURTHER RESOLVED, that all monies generated annually under this contractual agreement shall be shared as follows: annually the first \$100,000.00 shall go into a trust fund established for Information Technology Investment. Revenue between \$100,000.00 and 1,000,000.00, 25% will go into the Trust Fund and the remainder into the General Fund. Revenue above \$1,000,000.00, 10% will go into the Trust Fund for Information Technology Investments and the remainder into the General Fund.

RCS# 5546
3/15/04
3:25 PM

Atlanta City Council

Regular Session

04-R-0300

AGRMNT BY DIT W/BILTMORE COMMUNICATIONS
COA WI-FI INITIATIVE
REFER

YEAS: 8
NAYS: 4
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 2

Y Smith	Y Archibong	Y Moore	N Mitchell
Y Starnes	Y Fauver	B Martin	NV Norwood
N Young	Y Shook	Y Maddox	N Willis
B Winslow	Y Muller	N Boazman	NV Woolard

04-R-0300

RCS# 5545
3/15/04
3:24 PM

Atlanta City Council

Regular Session

PROCEDURAL

**** ENTER COMMITTEE OF THE WHOLE ****

YEAS: 7
NAYS: 5
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 2

Y Smith	N Archibong	N Moore	Y Mitchell
Y Starnes	N Fauver	B Martin	NV Norwood
Y Young	Y Shook	Y Maddox	Y Willis
B Winslow	N Muller	N Boazman	NV Woolard

PROCEDURAL

RCS# 5544
3/15/04
3:10 PM

Atlanta City Council

Regular Session

04-R-0300

AGRMNT BY DIT W/BILTMORE COMMUNICATIONS
COA WI-FI INITIATIVE
SUB FWD

YEAS: 12
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 2

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	Y Fauver	B Martin	Y Norwood
Y Young	Y Sheek	Y Maddox	Y Willis
B Winslow	NV Muller	Y Boazman	NV Woolard

04-R-0300